



# West Fargo Police Department

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**Testimony on Juvenile Shelter Care Programs  
Presented to the Judiciary Committee  
Prepared by Chief Denis Otterness, West Fargo Police Department  
Thursday, March 3, 2022**

Members of the Judiciary Committee:

Good morning members of the Judiciary Committee. I want to thank you for the opportunity to be here today. My name is Denis Otterness and I am the Chief of Police for the City of West Fargo. I have been a sworn law enforcement officer for 32 years and have served the citizens of West Fargo in my current capacity since September 2020.

I am appearing before you to offer my testimony regarding your studies of juvenile justice. More specifically, law enforcement's current concerns and challenges surrounding juvenile shelter care programs.

Following the last legislative session, law enforcement became aware of major changes to juvenile justice because of new legislation. One of the most significant concerns relates to the ability to house juvenile delinquents, which are commonly low-level criminal or status offense cases, and Children in Need of Services (CHINS) or Children in Need of Protection (CHIPS) cases. Historically, we have been able to shelter low-level delinquent offenders with CHINS and CHIPS cases through a partnership with Youthworks and Attendant Care, while more serious offenders and those that present a more significant danger to our community are detained at juvenile detention facilities.

This concern became much larger in late 2021 when law enforcement received notice that Attendant Care in Minot, ND, was no longer accepting delinquent youth.

20 This was due to new legislative restrictions on the co-mingling of delinquents and CHINS  
21 and CHIPS cases. In addition, law enforcement in my region received word that there  
22 was a potential that the shelter in Fargo may be closing its doors.

23 The impact on my community and others in Cass County, if either of these two  
24 scenarios were to occur, cannot be overstated. Attendant Care is a crucial solution for  
25 families in conflict, low-level delinquent offenders, runaways and trafficked youth, in  
26 addition to CHINS and CHIPS cases. Law enforcement needs full access to an  
27 Attendant Care shelter that is an alternative to a secure facility that still provides for  
28 adequate monitoring and supervision. These services allow us to return to our regular  
29 duties more rapidly and minimize state and local liability.

30 To provide some perspective on how critical these shelter services are to our  
31 young people, families, and our communities consider these facts - according to  
32 statistics from Juvenile Court, the West Fargo Police Department utilized Attendant Care  
33 services 33 times in 2021. That means, on average, that less than every two weeks a  
34 child in West Fargo needs emergency shelter care. Furthermore, contrast that with the  
35 City of West Fargo's financial commitment of \$30,000 per year for Youthworks'  
36 operation.

37 It is my belief that we are not solving these issues by creating legislative  
38 restrictions that lead to reduced services or closing of facilities. I look forward to being a  
39 contributing part of any solution that will assure these critical services remain available  
40 in our North Dakota communities.

41 I want to again thank you for the opportunity to be here today. I will stand for  
42 any questions you may have.